

**TITLE: Application Cancellation Policy**

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**1.0 PURPOSE**

This is the Approval and Certification Center (A&CC) policy for canceling investigations of applications.

**2.0 SCOPE**

This policy applies to all investigations of applications where the Applicant does not respond to a discrepancy letter in a timely manner.

**3.0 REFERENCES**

This policy should be referenced in each Standard Application Procedure (ASAP) and each Standard Operation Procedure (ASOP) for processing approval-type applications.

**4.0 DEFINITIONS**

- 4.1. *Application* means a request to the A&CC that has been assigned an approval Project Analysis Report (PAR) number.
- 4.2. *Discrepancy* is a disagreement between the documentation or design of the equipment and the administrative or technical requirements for approval or certification. This can also include requests for test samples.
- 4.3. *Discrepancy letter* is a document MSHA sends to the Applicant listing what is needed for MSHA to continue investigating an application.
- 4.4. *Cancellation letter* is a document MSHA sends to officially notify the Applicant that the application has been cancelled.

**5.0 POLICY**

- 5.1. MSHA will cancel the investigation of an application if the Applicant does not address each of the discrepancies listed in a discrepancy letter within six months of the discrepancy letter date. The cancellation date will be explicitly stated in each discrepancy letter.
- 5.2. If the Applicant does not address all items in the discrepancy letter within three months of the date of the discrepancy letter, the Investigator will notify the Applicant of all outstanding discrepancies.
- 5.3. If additional discrepancies are identified after a discrepancy letter has been sent, the Investigator will send additional discrepancy letters, as

necessary, listing those additional discrepancies. The date of the latest discrepancy letter determines the applicable cancellation date.

- 5.4. The Investigator will contact the Applicant by phone a minimum of one week prior to issuing a cancellation letter to notify of MSHA's intent to cancel the application.